

REMARKS

Claims 1-65 are pending. Claims 33 to 65 have been canceled. Claims 24 and 29 have been amended to correct typographical errors. Reconsideration of the claims in view of the remarks provided below is respectfully requested.

Restriction

The Examiner has required restriction between Group I through III. Applicants elect, without traverse, to prosecute Group I (Claims 1-32), drawn to a method for counteracting a pathologic change in the β -adrenergic signal transduction pathway, classified in class 514, subclass 649.

Additionally, upon election of Group I, the Examiner has required additional elections to be made, which are provided below:

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| the single disclosed species of a pathological change: | reduction of β -adrenergic receptor mRNA levels; |
| the single disclosed species of β -adrenergic agonist: | albuterol; |
| the single disclosed species of a disease or condition: | asthma; and |
| the single disclosed species of a heart disease: | congestive heart failure. |

Applicants understand that the subject matter not elected will be examined upon allowance of the elected subject matter. Applicants also expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **219002034200**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 30, 2007

Respectfully submitted,

By 

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